

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

SHIMON ROSENBERG, et al., KIA SCHERR, et al., EMUNAH CHROMAN, et al., LINDA RAGSDALE, et al., AUTUMN GILLES, et al.,	:	x
Plaintiffs,	:	ORDER
-against-	:	10-CV-5381 (DLI) (CLP)
LASHKAR-E-TAIBA et al.,	:	10-CV-5382 (DLI) (CLP)
	:	10-CV-5448 (DLI) (CLP)
Defendants.	:	11-CV-3893 (DLI) (CLP)
	:	12-CV-5816 (DLI) (CLP)

POLAK, United States Magistrate Judge:

Plaintiffs in the above-captioned cases (collectively, “plaintiffs”) are American and Israeli citizens who were injured or whose relatives were killed during the 2008 terrorist attacks in Mumbai, India. (Am. Compl.¹ ¶¶ 1-4). Plaintiffs assert damages arising under the Alien Tort Statute (“ATS”), 28 U.S.C. § 1330, and the Antiterrorism Act (“ATA”), 18 U.S.C. § 2333, against the terrorist organization Jamaat ud Dawa (Lashkar-e-Taiba) (“LeT”), and several of its known leaders, including Mohamed Hafiz Sayeed, Zaki ur Rehman Lakhvi, Sajid Majid, Azam Cheema, Major Iqbal, and Major Sameer Ali (collectively, “defendants”). (Am. Compl. ¶¶ 10-16).

On November 4, 2013, the Clerk of Court entered Certificates of Default against defendants Ali, Cheema, Iqbal, Lakhvi, LeT, Majid, and Sayeed, and on November 12, 2013, plaintiffs moved for a default judgment against these defendants. The Honorable Dora L. Irizarry adopted this Court’s Report and Recommendation and denied plaintiffs’ motion without prejudice to filing an amended complaint and refiling the motion on September 10, 2014.

¹Citations to “Am. Compl.” refer to plaintiffs’ Amended Complaint, filed on October 30, 2014 in 10 CV 5381. This case consolidates 10 CV 5381, 10 CV 5382, 10 CV 5448, 11 CV 3893, and 12 CV 5816.

Thereafter, on October 30, 2014, plaintiffs filed an amended complaint and simultaneously filed motions for default judgment and damages. On January 6, 2015, Judge Irizarry adopted the undersigned's Report and Recommendation, and denied these motions without prejudice to renew them after all defendants were properly served and their time to answer expired. On February 24, 2015, plaintiffs renewed their motions and on February 25, Judge Irizarry referred the motions to the undersigned to conduct an inquest, if necessary and to make a Report and Recommendation.

In light of the foregoing, and upon review of plaintiffs' motion papers, defendants are permitted to submit papers in connection with plaintiffs' damage calculations by **May 29, 2015**. Plaintiffs may also submit supplemental papers if they so desire. The Court further Orders the parties to appear for an inquest hearing at the United States District Court for the Eastern District of New York, 225 Cadman Plaza East, Brooklyn, New York, at **12:00 p.m. on June 5, 2015**.

Plaintiff is directed to serve a copy of this Order promptly by certified mail, return receipt requested, on defendants and to provide the Court with copies of the return receipts.

The Clerk is directed to send copies of this Order to the parties either electronically through the Electronic Case Filing (ECF) system or by mail.

SO ORDERED.

Dated: Brooklyn, New York
May 5, 2015

✓/s/ CHERYL POLLAK

✓/s/
Cheryl L. Pollak
United States Magistrate Judge
Eastern District of New York